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*Attorneys for Plaintiffs and the Settlement Class*

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHRIS SMITH, CHERYL SMITH, KAREN  
SMITHSON, ALBERTO CORNEA, FRANK  
ORTEGA, MICHELLE ROGERS, DEBORAH  
CLASS, AMBER JONES, ALEXIS KEISER,  
LOORN SALEE, THOMAS PEAR, and  
TANNAISHA SMALLWOOD, individually and  
on behalf of all other similarly situated  
individuals,

Plaintiffs,  
v.  
APPLE INC.,  
Defendant.

No. 4:21-cv-09527-HSG

Declaration of Chris Smith in Support of  
Plaintiffs' Motion for Final Approval of  
Class Action Settlement

CLASS ACTION

Dept.: Courtroom 2  
Judge: Hon. Haywood S. Gilliam, Jr.

Date: April 10, 2025  
Time: 2:00 p.m.

Third Amended Complaint Filed: October  
31, 2023

1 I, Chris Smith, declare as follows:

2 1. I have personal knowledge of the facts stated herein and, if called upon to do so,  
3 could competently testify thereto.

4 2. I reviewed, acknowledged, and signed a document titled "Duties of a Class  
5 Representative," which outlined my responsibilities in this case:

- 6 • A class representative represents the interests of all members of his/her class in  
7 litigation.
- 8 • A class member has claims which are typical of those of the class, and thus involve  
9 common issues of law or of fact. As a class representative, your claims against  
10 the defendant(s) are typical of class claims against them.
- 11 • A class representative always considers the interests of the class just as he/she  
12 would consider his/her own interests.
- 13 • A class representative participates actively in the lawsuit, such as by testifying at  
14 deposition and trial, answering written interrogatories, and by keeping generally  
15 aware of the status and progress of the lawsuit.
- 16 • A class representative recognizes and accepts that any resolution of a class action  
17 lawsuit, such as by settlement or dismissal, is subject to court approval, and must  
18 be designed in the best interests of the class as a whole.
- 19 • A class representative is not required to be particularly sophisticated or  
20 knowledgeable with respect to the legal framework of the lawsuit. However,  
21 he/she should be interested, on a continuous basis, in the progress of the lawsuit,  
22 and must make every effort to provide his/her lawyers and the court with all  
23 relevant facts of which he/she is aware.
- 24 • A class representative volunteers to represent many other people with similar  
25 claims and damages, because he/she believes that it is important that all benefit  
26 from the lawsuit equally, because he/she believes that a class action lawsuit will

1 save time, money, and effort, and thus will benefit all parties, and the court, and  
2 because he/she believes that the class action is an important tool to assure  
3 compliance with the law.

4 3. I am the Lead Plaintiff in the above-captioned action. My name is associated with  
5 all filings and all media reports about this case.

6 4. Following an incident on September 8, 2020, I had photographs taken of my  
7 injuries. I did extensive online research relating to screen detachments in Apple Watches. On  
8 or about October 14, 2020, I submitted my serial number to Apple via  
9 <http://checkcoverage.apple.com>. On or about December 14, 2020, I brought my watch to the  
10 Best Buy store located at 10200 Eastern Shore Blvd., Suite 130, Spanish Fort, AL 36527 to ask  
11 about coverage for the detached screen. I asked Best Buy about Apple's Screen Replacement  
12 Program, but the claim was denied. Subsequently, I did additional research about the Screen  
13 Replacement Program.

14 5. I met with Plaintiffs' Counsel on March 25, 2021.

15 6. I allowed Plaintiff's Counsel to take additional photos of my injuries on March  
16 25, 2021.

17 7. I provided my watch to Plaintiff's Counsel during our meeting on March 25, 2021.

18 8. I mailed watch accessories to Plaintiff's Counsel on April 27, 2021.

19 9. I signed an Attorney Representation Agreement on July 28, 2021.

20 10. I reviewed, acknowledged, and signed a CLRA declaration on August 20, 2021.

21 11. I read and reviewed the initial complaint in December 2021 before it was filed.

22 12. I signed a Request for Release of Information for my medical records from  
23 Thomas Hospital on July 26, 2022.

24 13. I reviewed and approved my initial discovery responses on August 22, 2022. My  
25 medical records were included as part of this production, and were provided to Apple on  
26 September 6, 2022.



1           14.    I met with Plaintiff's Counsel on September 6, 2022.

2           15.    I read and reviewed the Second Amended Complaint on March 16, 2023 before it  
3 was filed.

4           16.    I reviewed and approved my supplemental discovery responses on April 11, 2023.

5           17.    Apple issued a non-party subpoena for my medical records from Thomas Hospital  
6 on April 20, 2023. I did not object.

7           18.    I reviewed and approved my second supplemental discovery responses on May  
8 19, 2023.

9           19.    I reviewed and approved my response to Apple's Second Interrogatories and  
10 Requests for Production on June 9, 2023.

11          20.    On June 12, 2023, Apple produced 107 pages of my medical records obtained  
12 from Thomas Hospital.

13          21.    I reviewed and approved my response to Apple's First Set of Requests for  
14 Admission on June 30, 2023.

15          22.    My Apple Watch was the subject of joint inspections, which included detailed  
16 high-resolution photographs, chemical analysis, measurement of precise device dimensions with  
17 profilometers, disassembly of the devices, and individual CT scans of the battery, among other  
18 things.

19          23.    I reviewed and approved my response to Apple's Third Set of Interrogatories on  
20 July 13, 2023.

21          24.    On August 24, 2023, I provided dates on which I was available for a deposition  
22 in San Francisco, California.

23          25.    I was provided updates by Plaintiff's Counsel on January 12, 2024, January 24,  
24 2024, May 3, 2024, and November 11, 2024.

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**VERIFICATION**

Under penalties of perjury, I declare that I have read the foregoing declaration and it is true and correct to the best of my knowledge and belief.

By: 

Printed Name: Chris Smith

STATE OF Alabama  
COUNTY OF Baldwin

1 Dated: April 24, 2025

CUNNINGHAM BOUNDS, LLC

2 /s/ Lucy E. Tufts

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